

THE DRAFT IN NEW-YORK.

OFFICE OF THE JUDGE-ADVOCATE-GENERAL,
OF THE STATE OF NEW-YORK,
New-York, Aug. 12, 1863.

To His Excellency HORATIO STANHOPE, Governor of the State of New-York.

Sir: In accordance with your directions, I have made the most thorough examination practicable into the manner in which the draft of conscripts, under the act passed at the last session of Congress, has been executed. For that purpose, I proceeded to Washington, and conferred upon the subject with the President, and also with the Provost-Marshal-General. It gives me great pleasure to state that both of these gentlemen manifested an earnest desire to give all the information in their power, and they also expressed their wishes and their determination that the draft should be made, as far as possible, just, fair and equitable, in every respect.

I handed to Col. Fry your note requesting a written statement of the rule by which the draft was made, and received in reply the letter to you which is herewith delivered. So far as the draft has yet been ordered, the apportionment to each district and State is independent of every other district and State. It has been ordered in all the Eastern and Middle States. With the exception of New-York and Rhode Island, all of these States are claimed, at the War Department, to be in arrears in the furnishing of volunteers under the call made by the President previous to the passage of the Conscription Act. The Western States are not in arrears; but I believe the draft in these States is delayed, until it is settled whether under the Conscription Act, the equalization of the call for conscripts, which the President is required to make, taking into consideration the number of volunteers and militia, is to be based upon the whole population, or upon the whole population of the male population. In the Eastern and Middle States, most of which are in arrears, the female population exceeds the male, but in the Western States, the male population is largely in excess of the female.

The draft ordered in each district is based upon the enrollment in that particular district. The number of conscripts required is 30 per centum of the whole population of the district, in the first class. In the second class, 40 per centum additional of the number enrolled in that class, is to be drawn to supply the places made vacant by exemptions. This rule is distinctly stated in the letter of Col. Fry, and is the rule by which the draft is made. It will be seen that it tends to the fairness and correctness of the draft entirely upon the enrollment, or, in other words, upon the competency, honesty and fidelity of the enrolling officers.

It is now conceded by the Federal Administration that this State has more than supplied its quota under all previous calls for volunteers. It is due to the people of this State, and to the War Department, to record the fact that the latter has rendered to our State this measure of justice. If I remember rightly, the excess according to us is 4,605, which is credited to the several districts on account of the first class, which, by the Conscription Act, should consist only of citizens, and aliens who have taken the incipient step to citizenship, between 20 and 35 years of age, and if unmarried, between 35 and 45. It also shows the credit to the district on account of the allowance to the State for excess of volunteers; the number of conscripts required and the number of names to be drawn. It will be seen, upon comparison, that the number of conscripts required is twenty per centum of the persons enrolled, less the credit for excess of volunteers. The names drawn include fifty per centum upon the number of conscripts required, the additional draft being to supply vacancies caused by exemptions.

In the first two tables I have placed the nine districts comprising the island which line the Bay of New-York, Manhattan, Long and Staten Islands, and the surrounding waters, and the Metropolitan District. There are some marked features in the enrollment for most of these districts, which can be more easily seen by a separate classification.

INTERIOR DISTRICTS.				
	Counties.	No. of Aliens.	Allowance for Exempted.	No. Conscribable.
12. Dutchess and Columbia.....		10,818	1,901	9,913
13. Orange and Seneca.....		10,794	1,906	8,888
14. Rensselaer and Washington.....		10,794	1,906	8,888
15. Genesee and Warren.....		7,963	1,493	6,470
16. St. Lawrence and Franklin.....		9,043	1,814	7,229
17. Fulton, Hamilton, and Montgomery.....		12,395	2,310	10,085
18. Otsego, Ulster, and Schoharie.....		12,630	2,307	10,323
19. Jefferson, Herkimer, and Lewis.....		12,630	2,307	10,323
20. Yates and Hamilton.....		5,404	1,040	4,364
21. Oswego and Madison.....		11,092	1,963	9,129
22. Oneida and Lewis.....		11,092	1,963	9,129
23. Chautauque and Warren.....		12,683	2,312	10,371
24. Ontario, Livingston and Yates.....		16,445	3,186	13,259
25. Broome, Tompkins, Tioga and Chemung.....		11,767	2,312	9,455
26. Seneca, Chenango and Allegany.....		12,350	2,319	10,031
27. Monroe and Orleans.....		9,278	1,707	7,571
28. Erie.....		13,195	2,339	10,856
29. Gustavus and Chautauque.....		9,519	1,763	7,756
Totals.....		311,451	60,626	250,825